

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2003-210-C - ORDER NO. 2003-501

AUGUST 13, 2003

IN RE: Application of E-Z Tel, Inc. for Flexible Regulation of its Local Telecommunications Services.) ORDER GRANTING) FLEXIBLE) REGULATION
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This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of E-Z Tel, Inc. (E-Z Tel or the Company) for approval of flexible regulation of its local exchange services. E-Z Tel was granted authority to provide resold local exchange service within the State of South Carolina by Commission Order No. 97-857, dated October 8, 1997, in Docket No. 97-274-C. Thereafter, by Commission Order No. 2002-502, dated July 12, 2002, in Docket No. 97-274-C, E-Z Tel's Certificate was amended to reflect that E-Z Tel will operate as both a facilities-based and resale provider of local exchange services.

Upon the Commission's receipt of E-Z Tel's Application and pursuant to the instructions of the Commission's Executive Director, the matter was published in the Commission's subscription service. No Protests or Petitions to Intervene were received. We will therefore proceed to dispose of the matter summarily.

By its Application, E-Z Tel requests that the Commission regulate its local telecommunications services in accordance with the principles and procedures established for flexible regulation by Commission Order No. 98-165 in Docket No. 97-

467-C.¹ Further, E-Z Tel requests that the Commission adopt a rate structure that incorporates maximum rate levels for its local exchange service offerings while providing the flexibility to make adjustments below the maximum rate levels in keeping with the procedures established for flexible regulation in Order No. 98-165 in Docket No. 97-467-C.

E-Z Tel specifically requests that its local exchange tariff filings be presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case such tariff filings would be suspended pending further order of the Commission, and that any tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

Flexible regulation of local exchange services has been frequently approved by this Commission to promote competition in the telecommunications industry in South Carolina. We believe that flexible regulation will continue to promote competition in the telecommunications industry in South Carolina. Accordingly, we approve E-Z Tel's request for flexible regulation.

E-Z Tel's local telecommunications services shall be regulated in accordance with the principles and procedures established for flexible regulation first granted to NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C. Specifically, the Commission adopts for E-Z Tel's competitive intrastate local exchange services a rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels that will have been previously approved by the Commission.

¹ By Order No. 98-165 issued March 5, 1998, in Docket No. 97-467-C, the principles and procedures for flexible regulation were established and first granted to NewSouth Communications, LLC.

Further, E-Z Tel's local exchange service tariff filings are presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case the tariff filing would be suspended pending further Order of the Commission. Further, any such tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

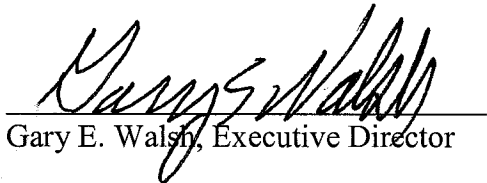
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn, Chairman

ATTEST:


Gary E. Walsh, Executive Director

(SEAL)